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Attorney for Applicant
Jonathan Shockley

**STATE OF CALIFORNIA
WORKERS' COMPENSATION APPEALS BOARD**

JONATHAN SHOCKLEY,

Applicant,

vs.

Cardionet LLC

Chubb Group Los Angeles

Defendants.

WCAB Case No: ADJ12031731

**APPLICATION FOR DISCRIMINATION
BENEFITS PURSUANT TO LABOR
CODE SECTION 132(A)**

Applicant applies for benefits and penalties pursuant to Labor Code Section 132(a) and alleges that:

1. Cardionet LLC (hereinafter "Employer") is now, and at all times set forth herein was, an entity of unknown type, and is subject to the jurisdiction of the Workers' Compensation Appeals Board with respect to all matters herein alleged:
2. Applicant is informed and believes and thereon alleges that at all times herein mentioned, defendants were the agents and employees of each other.
3. On or about CT 02/15/2019, while engaged in the performance of his/her job duties, Applicant sustained serious and disabling injuries to his hands, wrists, fingers, arms, upper extremities, and neck.
4. On or about 10/21/2020, Applicant was unjustly terminated from his employment while still on temporary work restrictions and collecting temporary disability benefits. Applicant is not yet permanent and stationary by the QME or his current primary treating physician.

- 1 5. Applicant is informed and believes and thereon alleges that the true reason
2 Employer terminated Applicant is because of his work-related injuries, and
3 because Applicant had in fact filed a Workers' Compensation claim.

4
5 **WHEREFORE, Applicant prays:**

- 6 a. That Defendants be found in violation of Labor Code Section 132(a);
7 b. For additional benefits pursuant to Labor Code Section 132(a) of an increase of
8 one-half in compensation otherwise recoverable;
9 c. For reimbursement of lost wages and work benefits;
10 d. For reimbursement of medical expenses incurred according to proof at trial;
11 e. Costs and expenses of suit; and
12 f. For such other and further relief as the Workers' Compensation Appeals Board
13 deems proper in the interest of justice.

14 Dated: December 1, 2020

Respectfully submitted,
PACIFIC WORKERS'

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16 _____
17 Zachary Kweiler, Esq.
18 Attorney for Applicant

19 **VERIFICATION**

20 I, Zachary Kweiler, state under penalty of perjury that the above is true and correct except for
21 those matters based upon information and belief, and I believe them to be true.

22
23 Dated: December 1, 2020

Respectfully submitted,
PACIFIC WORKERS'

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25 _____
26 Zachary Kweiler, Esq.
27 Attorney for Applicant
28

UAN: PACIFIC WORKERS OAKLAND
ERN: 7912453
Jazmin Orozco-Salcedo, 510-444-2512x320
jazmin@pacificworkers.com

Re: *Jonathan Shockley v. Cardionet LLC*
ADJ: ADJ12031731

PROOF OF SERVICE

I, the undersigned, am over 18 years of age and not a party to the within-entitled action. I am employed at and my business address is Pacific Workers, 333 Hegenberger Road, Suite 504, Oakland, CA 94621.

On December 1, 2020 I served the following:

132A PETITION,

BY MAIL: I am readily familiar with the firm's practice for collecting and processing mail with the U.S. Postal Service. Under that practice, mail would be deposited with the U.S. Postal Service that same day with postage thereon fully prepaid at Oakland, California in the ordinary course of business, addressed as follows, unless otherwise noted:

Workers' Compensation Appeals Board (Service by EAMS)
1515 Clay Street, 6th Floor
Oakland, CA 94612

Jonathan Shockley
1000 Sutter Street - Room 123
San Francisco, CA 94109

Mario Castro
Chubb Group Los Angeles
P.O. Box 30850
Los Angeles, CA 90030

Mr. James J. Goines
Colantoni Collins San Francisco
555 Corporate Drive, Suite 205
Ladera Ranch, CA 92694

Cardionet LLC
1000 Cedar Hollow Road
Malvern, PA 19355

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 1, 2020 at Oakland, California.



Samantha Malano